

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

DALE DEAN GOINS,

Plaintiff

VS.

WILLIAM TERRY,

Defendant

NO. 5:07-CV-171 (WDO)

**PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE**

RECOMMENDATION

Plaintiff DALE DEAN GOINS herein has filed a motion asking that his case be dismissed without prejudice. Tab #5. This case is in its infancy and a dismissal would not in any way prejudice the defendants who have yet to even be served. Accordingly, IT IS RECOMMENDED that the plaintiff's motion be GRANTED and this case be DISMISSED *without prejudice*.

Pursuant to 28 U.S.C. §636(b)(1), the plaintiff may serve and file written objections to this RECOMMENDATION with the district judge to whom this case is assigned **WITHIN TEN (10) DAYS** after being served with a copy thereof.

SO RECOMMENDED this 31st day of MAY, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE